

## BOARD OF APPEAL REFERRALS

May 17, 1979

- |     |             |   |
|-----|-------------|---|
| 1.  | Z-4358-4359 | Russell Vartersian<br>7-9-25 Rockland Street and 5300 Washington Street,<br>West Roxbury                    |
| 2.  | Z-4387      | Henry Townsend<br>274 Blue Hill Avenue, Dorchester  |
| 3.  | Z-4394-4395 | Grace Ruby<br>Burton Miller, Trustee<br>1354-1354A-1356 Commonwealth Avenue, Brighton                       |
| 4.  | Z-4399      | John F. Gately, Jr.<br>105 Bartlett Street and 2499-2501 Washington Street,<br>Roxbury                      |
| 5.  | Z-4401      | Arthur Segaloff<br>38 Englewood Avenue, Brighton  |
| 6.  | Z-4403      | John J. Walsh<br>78 Parsons Street, Brighton  |
| 7.  | Z-4404      | Helen Ford<br>27 Ormond Street, Mattapan  |
| 8.  | Z-4424-4442 | Trustees of Boston University<br>1-2-3-5-6-11-14-17-22-24-29-34-35-37-39-45-47-50-52<br>Buswell Street, and |
|     | Z-4466-4469 | 500-504-509-515 Park Drive, Boston  |
| 9.  | Z-4444      | Joan M. Corey<br>7-15 Edgewater Drive, Mattapan   |
| 10. | Z-4448      | Mission Hill NHS Development Corp.<br>40 Calumet Street, Roxbury  |

MEMORANDUM

May 17, 1979

TO: BOSTON REDEVELOPMENT AUTHORITY  
FROM: Robert J. Ryan, Director  
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 6/5/79 Z-4358 - 4359  
Five-story masonry structure; Russell Vartersian  
7-9-25 Rockland St. &  
5300 Washington Street  
West Roxbury

District(s): apartment H-1 general business industrial  
residential local business waterfront  
single family S-.5 manufacturing

Purpose: Erect six-story 75-unit apartment  
structure for elderly.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7. Multi-family dwelling is forbidden in an S-.5 district.		
14-1 Lot area is insufficient.		
14-5 Distance between buildings is insufficient.		
15-1. Floor area is excessive.		
16-1. Height of building is excessive.		
17-1. Open space is insufficient.		
18-1. Front yard is insufficient.		
19-1. Side yard is insufficient.		
20-1. Rear yard is insufficient.		
23-1. Off-street parking is insufficient.		

Second proposal would be a high density intrusion into a single family neighborhood. Site and height are inappropriate. No linkage between existing and proposed housing. Parking plan and vehicular access are inadequate. Community voted to oppose additional units at this location. A subsequent meeting with appellant and attorneys, staff, little City Hall Manager, Civic Association President failed to resolve a compromise to modify the proposal.  
Recommend denial.

VOTED: In reference to Petitions Z-4351-4359, brought by Russell Vartersian, 7-9-25 Rockland Street & 5300 Washington Street, West Roxbury, for two forbidden uses and fifteen variances to erect a six-story 75-unit apartment structure for elderly in single family (S-.5) and apartment (H-1) Districts, the Boston



Redevelopment Authority recommends denial. Proposal is further high density intrusion into a single family neighborhood. Site and height are inappropriate. No linkage between existing and proposed housing. Parking plan and vehicular access are inadequate. Community voted to oppose additional units at this location. A subsequent meeting with appellant and attorneys, Authority staff, Little City Hall Manager, Civic Association President failed to resolve a compromise to modify the proposal.





MARY  
DRAPER  
PLAYGROUND

Z-4358-59

7-9-25 ROCKLAND ST.  
5300 WASHINGTON ST.  
(W.R.)



Board of Appeal Referrals May 17, 1979

Hearing: May 22, 1979

Z-4387  
Henry Townsend  
274 Blue Hill Ave., Dorchester  
Near Dove Street

One story frame structure L-1

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-1</u>	waterfront_____
	single family_____		manufacturing_____

Purpose: Change occupancy from stores to private club.

Violation(s):

Section

Required

Proposed

8-7. Private club is conditional in an L-1 District

Existing club has a disturbing affect on abutting residential area. This proposal to legalize an existing use has strong opposition from the neighborhood. Recommend Denial.

VOTED: In reference to Petition Z-4387, brought by Henry Townsend, 274 Blue Hill Avenue, Dorchester, for a conditional use for a change of occupancy from stores to private club in a Local Business (L-1) District, the Boston Redevelopment Authority recommends denial. Existing club has a disturbing affect on abutting residential area. This proposal to legalize an existing use has strong opposition from the neighborhood.





Z-4387  
274 BLUE HILL AVENUE  
(DOR.)

SARGENT

WOODLEDGE STREET

CUNNINGHAM STREET

WAYLAND

SWEET FERN TER

PERTH STREET

DUNKELD STREET

KIMCO STREET

ST. STREET

AVENUE

DALVEITH STREET

STREET

BALFOUR STREET

WAYLAND

HOWARD STREET

STREET

FASTON

PHILIP'S BROOKS SCHOOL (E1)

STREET

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CHURCH

CONGREGATION NAUSACH

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WOODCLIFF

ST. JOHN SCHOOL (E1)

ST. JOHN ROMAN CATHOLIC CHURCH

ST. STREET

DOVE

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Board of Appeal Referrals

5/17/79

Hearing: 6/5/79

Z-4394-4395

Grace Ruby

Burton Miller, Trustee

1354-1354A-1356 Commonwealth

Avenue, Brighton

at Scottfield Road

Two-story masonry structures.

District(s): apartment H-1 & H-2 general business \_\_\_\_\_ industrial \_\_\_\_\_  
 residential \_\_\_\_\_ local business \_\_\_\_\_ waterfront \_\_\_\_\_  
 single family \_\_\_\_\_ manufacturing \_\_\_\_\_

Purpose: Erect three-story addition to warehouse, office, retail structure.

Violation(s):

Section

Required

Proposed

8-7. Retail liquor store is forbidden in an H-2 District.

8-7. Warehouse is forbidden in H-1 - H-2 Districts.

9-1. Structural change to a non-conforming use requires Board of Appeal hearing.

18-4. Front yard is insufficient

25 ft.

0

10-1. Parking is not allowed within required front yard.

Proposal would significantly increase traffic congestion.

Parking is inadequate. Abutting residential property would be adversely affected and abutter has indicated opposition.

Recommend denial.

VOTED: In reference to Petitions Z-4394-4395, brought by Grace Ruby & Burton Miller, Trustee, 1354-1354A-1356 Commonwealth Avenue, Brighton, for two forbidden uses, a change in a non-conforming use and two variances to erect a three-story addition to warehouse, office, retail structure in Apartment (H-1 & H-2) Districts, the Boston Redevelopment Authority recommends denial. Proposal would significantly increase traffic congestion. Parking is inadequate. Abutting residential property would be adversely affected and abutter has indicated opposition.





Z-4394-95  
135A-1356 COMMONWEALTH AVE  
(BRI.)



## Board of Appeal Referrals

5/17/79

4

Hearing: 6/5/79

Z-4399

John F. Gately, Jr.  
105 Bartlett Street  
2499-2501 Washington Street,  
Roxbury

One-story masonry structure

District(s): apartment H-1 general business B-1 industrial \_\_\_\_\_  
residential \_\_\_\_\_ local business \_\_\_\_\_ waterfront \_\_\_\_\_  
single family \_\_\_\_\_ manufacturing \_\_\_\_\_

Purpose: Change occupancy from storage to sale, storage and  
repair of used cars, accessory office, auto body  
garage, outdoor storage of vehicles awaiting repairs.

## Violation(s):

SectionRequiredProposed

- 8-7. Outdoor sale or display for sale of used  
motor vehicles is forbidden in an H-1  
District.  
8-7. Repair shop garage and auto body shop are  
conditional in a B-1 District.  
8-7. Storage parking motor vehicles is forbidden  
in an H-1 District.  
18-4. Front yard is insufficient  
20-1. Rear Yard is insufficient

25 ft.  
20 ft.

0  
0

Proposed auto uses will have a detrimental effect on  
the community and particularly the adjacent residential  
structures. Neighborhood residents have expressed concern.

Recommend denial.

VOTED: In reference to Petition Z-4399, brought  
by John F. Gately, Jr., 1-5 Bartlett St.  
and 2499-2501 Washington Street, Roxbury,  
for two forbidden uses, a conditional use  
and two variances for change of occupancy  
from storage to sale, storage and repair  
of used cars, accessory office, auto body  
garage, outdoor storage of vehicles in  
Apartment (H-1) and General Business (B-1)  
Districts, the Boston Redevelopment Authority  
recommends denial. Proposed auto uses will  
have a detrimental affect on the community  
and particularly the adjacent residential  
structures. Neighborhood residents have  
expressed concern.



145 BARTLETT ST.  
2499-2501 WASHINGTON ST.  
(ROX.)



Board of Appeal Referrals

May 17, 1979

Hearing: June 5, 1979

Z-4401

Arthur Segaloff

38 Englewood Avenue, Brighton

Near Strathmore Road

2½ story frame structure - H-1

District(s):	apartment <u>H-1</u>	general business _____	industrial _____
	residential _____	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: Park six (6) cars in front of dwelling.

Violation(s):

SectionRequiredProposed

18-1. Accessory off street parking is not allowed in required front yard.

Parking of vehicles in front yard creates a hazard to pedestrians and a negative impact on this residential neighborhood. Community opposition is existing. Recommend Denial.

VOTED: In reference to Petition Z-4401, brought by Arthur Segaloff, 38 Englewood Avenue, Brighton, for a variance for accessory parking within required front yard in an Apartment (H-1) District, the Boston Redevelopment Authority recommends denial. Parking of vehicles in front yard creates a hazard to pedestrians and a negative impact on this residential neighborhood. Community opposition is existing.





Z-4401  
38 ENGLEWOOD AVE  
(BRI.)



Board of Appeal Referrals 5/17/79

Hearing: 6/5/79

Z-4403  
John J. Walsh  
78 Parsons Street, Brighton  
at Harriet Street

2½-story frame structure

District(s):	apartment_____	general business_____	industrial_____
	residential R-.5_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Legalize occupancy - three-family dwelling.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7. Any dwelling converted for more families which does not meet the requirements of lot area and open space is forbidden in an R-.5 District.		
14-1. Lot area is insufficient	2 acres	3962 sf.
14-3. Lot width is insufficient	200 ft.	49 ft.
14-4. Street frontage is insufficient	200 ft.	49 ft.
16-1. Height of building is excessive	2 stories	2½ stories

Use has existed since purchase two years ago. Violations are technical. Recommend approval with proviso.

VOTED: In reference to Petition Z-4403, brought by John J. Walsh, 78 Parsons Street, Brighton, for a forbidden use and four variances to legalize occupancy for three family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval with proviso that use extend only to owner occupant.







Board of Appeal Referrals May 17, 1979

Hearing: June 5, 1979

Z-4404  
Helen Ford  
27 Ormond Street, Mattapan  
Near Blue Hill Avenue

2½ story structure - R-.5  
District(s): apartment \_\_\_\_\_ general business \_\_\_\_\_ industrial \_\_\_\_\_  
residential R-.5 \_\_\_\_\_ local business \_\_\_\_\_ waterfront \_\_\_\_\_  
single family \_\_\_\_\_ manufacturing \_\_\_\_\_

Purpose: Change occupancy from two family dwelling to two family dwelling and beauty salon.

Violation(s):

Section

Required

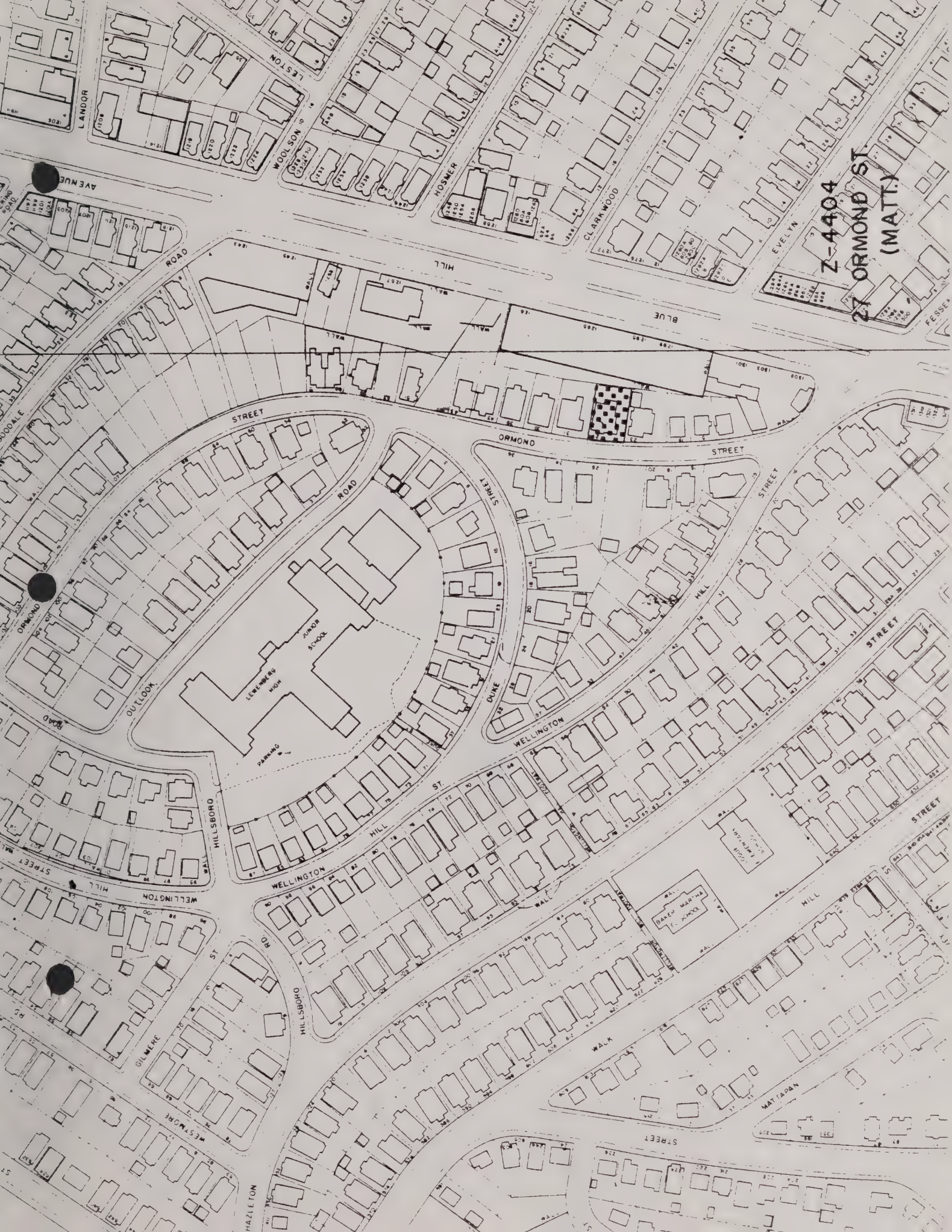
Proposed

8-7. Beauty Shop is forbidden in an R-.5 District.

Facility, to be located in basement of structure, would provide service for local residents. No opposition.  
Recommend approval with Provisos.

VOTED: In reference to Petition Z-4404, brought by Helen Ford, 27 Ormond Street, Mattapan, for a forbidden use for a change of occupancy from two family dwelling to two family dwelling and beauty salon in a Residential (R-.5) District, the Boston Redevelopment Authority recommends approval with the following provisos: That the conduct of the Business be limited to one operator, who is also the owner, Helen Ford; that the use extend to the appellant only and expire upon sale, lease or other disposition of the property; that no work be performed on Sunday; that signs be limited to minimum required by Board of Registration of hairdressers; that sign be located inside the window and visible only during business hours; that all services be by appointment only.





Z-4404  
27 ORMOND ST  
(MATTY)



Board of Appeal Referrals, 5/17/79

Hearing: 6/12/79

Z-4424-4442 and Z-4466-4469  
Trustees of Boston University  
1-2-3-5-6-11-14-17-22-24-29-34-35-37-39-  
45-47-50-52 Buswell Street;  
500-504-509-515 Park Drive, Boston

Twenty-three residential structures

District(s):	apartment <u>H-2</u>	general business _____	industrial _____
	residential _____	local business <u>L-2</u>	waterfront _____
	single family _____		manufacturing _____

Purpose: Change occupancy of apartment structures to dormitories.

Violation(s):

Section

Required

Proposed

8-7. A dormitory not on the same lot as but accessory to an authorized degree granting university is conditional in H-2 and L-2 districts.

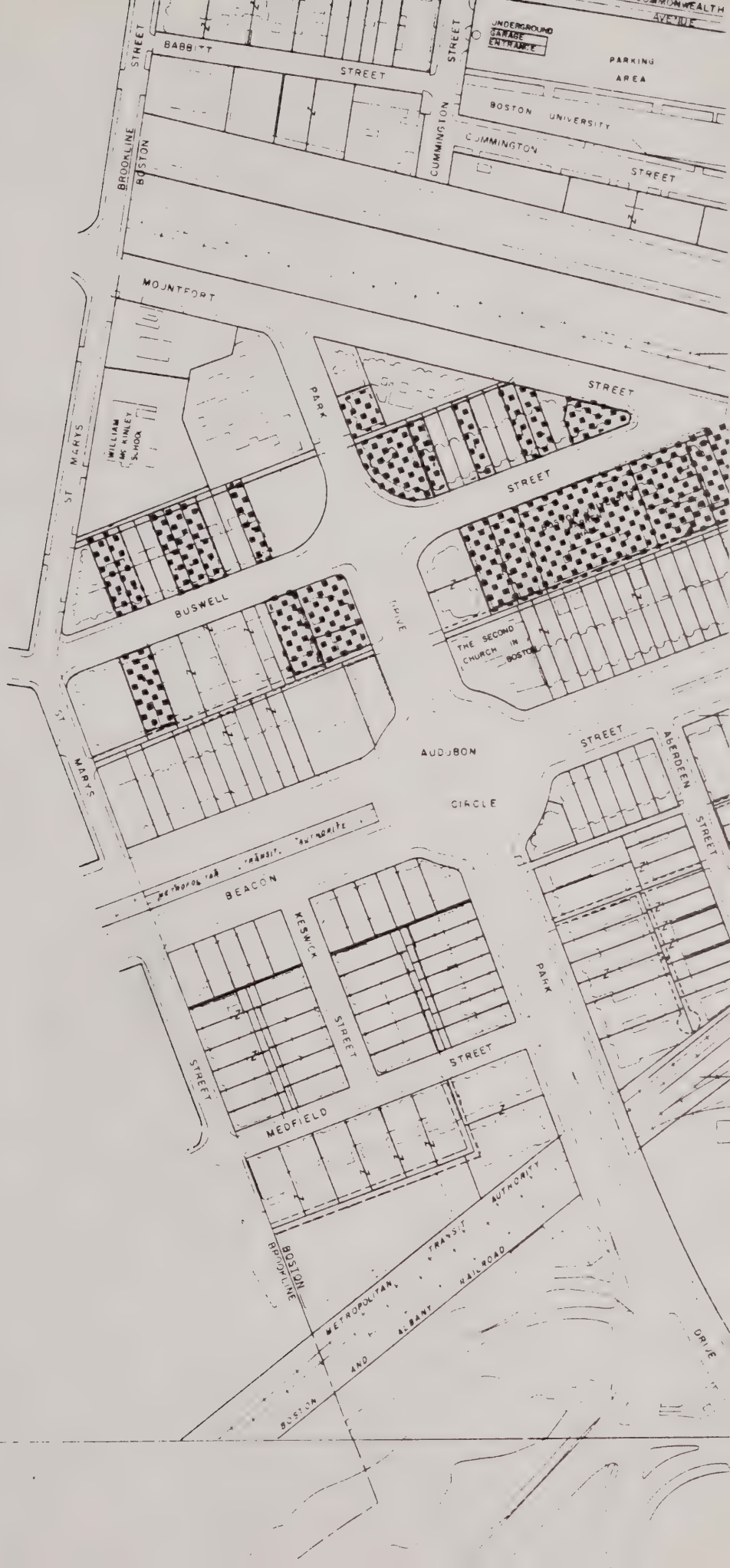
Nineteen of the structures are currently being used as dormitories for 885 students. Remaining four are in the process of being purchased. Dormitory uses exist in the surrounding neighborhood. Proposal conforms with Boston University draft development plan for this area. Recommend approval with provisos.

VOTED: In reference to Petitions Z-4424-4442 and Z-4466-4469, brought by the Trustees of Boston University, 1-2-3-5-6-11-14-17-22-24-29-34-35-37-39-45-47-50-52 Buswell Street, 500-504-509-515 Park Drive, Boston, for change of occupancy from apartment structures to dormitories in apartment (H-2) and local business (L-2) districts, the Boston Redevelopment Authority recommends approval with the following provisos: that Boston University submit a relocation plan to the Boston Redevelopment Authority for approval prior to actual relocation of all tenants residing in affected properties at time of filing appeals; that properties remain on tax rolls or in-lieu-of-tax agreement exists with the City; that the conditional uses extend only to Boston University and expire upon sale, lease, or other disposition of the properties; that no residential units be created beyond present occupancies of structures.



LINE

Z-4424-42  
1-52 BUSWELL ST.  
500-515 PARK DRIVE  
(B.P.)





Board of Appeal Referrals May 17, 1979

Hearing: May 22, 1979

Z-4444  
Joan M. Corey  
7-15 Edgewater Drive, Mattapan  
At River Street

One story masonry structure, 2½ story frame structure (to be razed) L-.5  
District(s): apartment\_\_\_\_\_ general business\_\_\_\_\_ industrial\_\_\_\_\_  
residential\_\_\_\_\_ local business L-.5 waterfront\_\_\_\_\_  
single family\_\_\_\_\_ manufacturing\_\_\_\_\_

Purpose: Erect one story addition to retail liquor store.

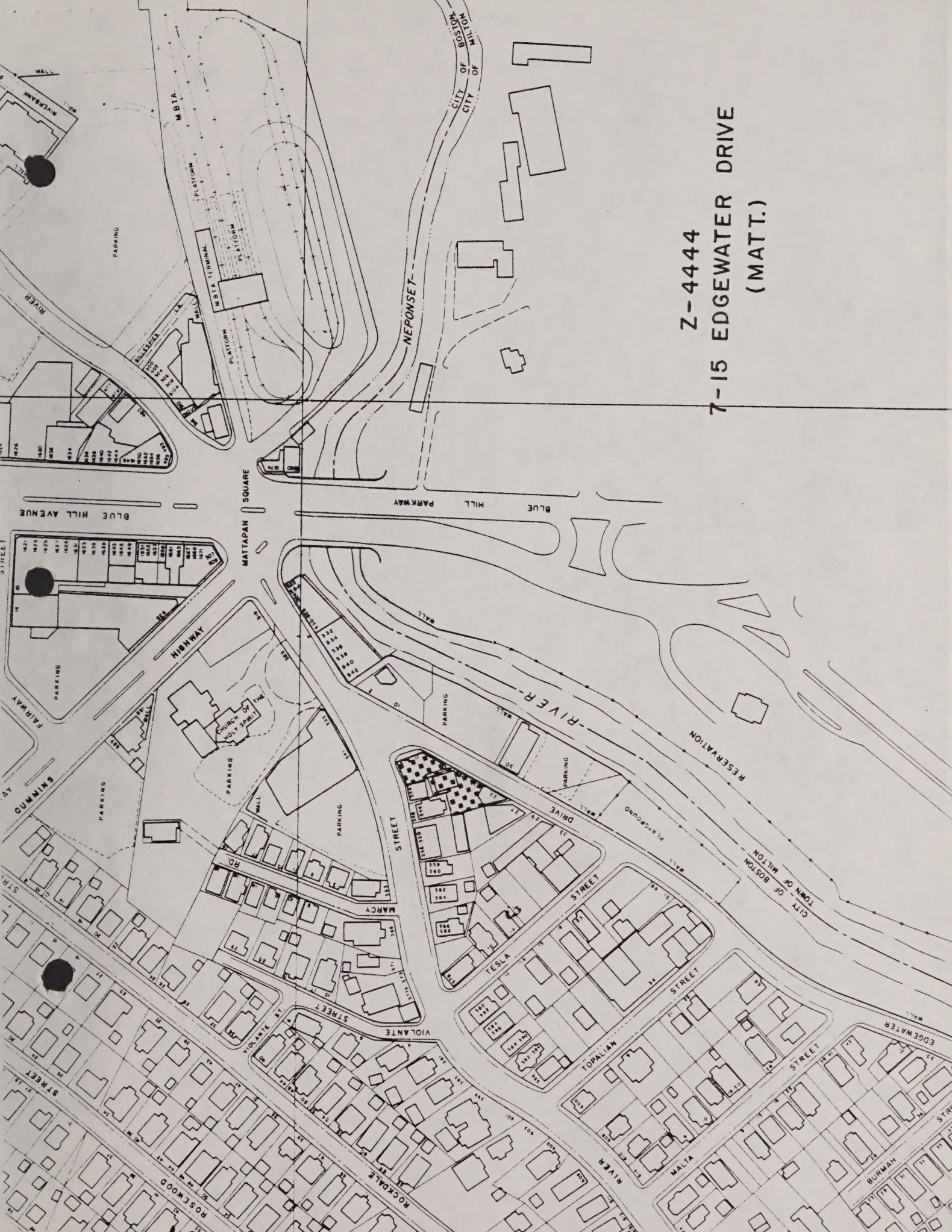
Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
20-1. Rear yard is insufficient	20 ft.	1 ft.

Immediate area is mixed commercial - residential use. Proposed extension would be used for storage. Little City Hall has no objection. Recommend Approval with Provisos.

VOTED: In reference to Petition Z-4444, brought by Joan M. Corey, 7-15 Edgewater Drive, Mattapan for a variance to erect a one story addition to a retail liquor store in a Local Business (L-.5) District, the Boston Redevelopment Authority recommends approval with the following provisos: That petitioner assist tenants to relocate; that there be no obstructions to abutting right of way.





Z-4444  
7-15 EDGEWATER DRIVE  
(MATT.)



Board of Appeal Referrals May 17, 1979

Hearing: June 5, 1979

Z-4448

Mission Hill NHS Development Corp  
40 Calumet Street, Roxbury  
Near Pequot Street

3½ frame structure - H-1

District(s): apartment H-1 general business \_\_\_\_\_ industrial \_\_\_\_\_  
residential \_\_\_\_\_ local business \_\_\_\_\_ waterfront \_\_\_\_\_  
single family \_\_\_\_\_ manufacturing \_\_\_\_\_

Purpose: Change occupancy from three to six family dwelling;  
erect one story addition.

Violation(s):

Section

Required

Proposed

8-7. Any dwelling converted for more families which meets one half the requirements of lot area is conditional in an H-1 District.

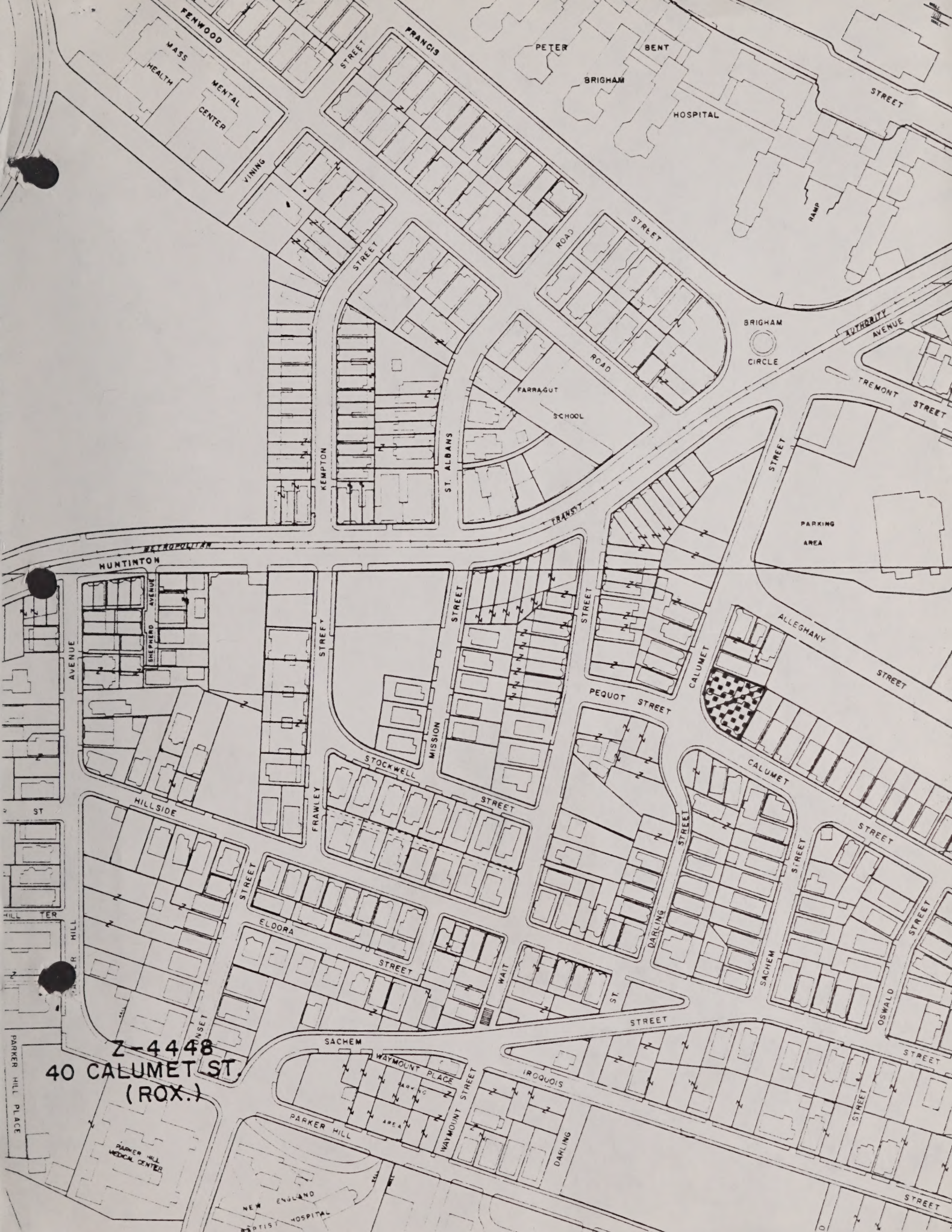
10-1. Parking not allowed within required front yard.

14-2. Lot area is insufficient 10,000 sf. 8,284 sf.

Proposal would restore vacant and abandoned structure, expand first floor bathroom and provide a handicap ramp. Strong neighborhood support exists for this development. Recommend Approval with Proviso.

VOTED: In reference to Petition Z-4448, brought by Mission Hill NHS Development Corp. 40 Calumet Street, Roxbury, for a conditional use and two variances for change of occupancy from three to six family dwelling and erect a one story addition in an apartment (H-1) District, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.





Z-4448  
40 CALUMET ST.  
(ROX.)



